

prejudiced. Fed. R. App. P. 4(a)(6).

The Court has no reason to dispute the plaintiff's contentions regarding his receipt of the Court's order dismissing his case and his mailing of his pending motion.¹ Accordingly, the Court finds the plaintiff satisfies the requirements for reopening the time to appeal under Fed. R. App. P. 4(a)(6), and his motion pursuant to the Rule is therefore granted.

IT IS SO ORDERED.

Dated: April 28, 2016

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

¹The Court is willing to consider the plaintiff's motion to have been filed on March 11, 2016 under the prison mailbox rule. *See Houston v. Lack*, 487 U.S. 266 (1988).